UNOFFICIAL VERSION

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THURSDAY, FEBRUARY 2, 2017

FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Mr. Jason Ladd of The Way Fellowship in Bon Aqua, Tennessee, a guest of Senator Roberts.

PLEDGE OF ALLEGIANCE

Senator Roberts led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Roberts led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

COMMUNICATIONS

January 31, 2017

Lt. Governor McNally,

I wanted to submit to you a letter excusing my absence of Thursday, February 2nd due to work obligations.

Warmest Regards,

/s/ Senator Steve Dickerson

APPROVED: Lieutenant Governor

Randy McNally

February 2, 2017

Lt. Governor Randy McNally Suite 1, Legislative Plaza Nashville, Tennessee 37243

Dear Speaker McNally:

Please be advised that due to my participation at a leadership forum on Thursday, I regret that I cannot be present for session on February 2, 2017. Please let this serve as proper notice of my absence.

All the best,

/s/ Lee Harris

APPROVED: Lieutenant Governor Randy McNally

STANDING COMMITTEE REPORTS

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolutions Nos. 29, 30 and 32.

GRESHAM, Chairperson February 1, 2017

The Speaker announced that he had referred Senate Joint Resolutions Nos. 29, 30 and 32 to the Committee on Calendar.

PRESENTATION

Senator Briggs presented **Senate Joint Resolution No. 15** to members of the American Heart Association.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 265 through 312** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 265 by Senator Yarbro.

Criminal Offenses -- As introduced, reduces from a Class A misdemeanor to a Class C misdemeanor the offense of possession of a small amount of marijuana not in excess of one-eighth

ounce; punishes the offense by imposing a fine of no more than \$50. Amends TCA Title 39, Chapter 17, Part 4 and Title 40.

Senate Bill No. 266 by Senator Harris.

Water Pollution -- As introduced, requires principals of schools built before June 19, 1986, to flush fixtures used for drinking water and food preparation for at least 60 seconds before the arrival of children each school day. Amends TCA Title 49 and Title 68.

Senate Bill No. 267 by Senator Overbey.

Marriage -- As introduced, adds federal administrative law judges to the list of officials authorized to solemnize marriages. Amends TCA Section 36-3-301.

Senate Bill No. 268 by Senator Overbey.

Health Care -- As introduced, extends the time in which compounding pharmacies must notify the board of pharmacy of a disciplinary action against the pharmacy from 14 days to 21 days. Amends TCA Title 63.

Senate Bill No. 269 by Senator Beavers.

Handgun Permits -- As introduced, requires the department of safety to promulgate rules regarding requirements for handgun safety course instruction, including qualifications of handgun safety schools and instructors, required for handgun carry permits; authorizes a permit holder to convert an eight-year permit into a lifetime permit at any time. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 270 by Senator Beavers.

Motor Vehicles, Titling and Registration -- As introduced, exempts active, volunteer firefighters and rescue squad members from payment of the regular registration fee at the time of renewal for any license plate issued to the volunteer firefighter or rescue squad member. Amends TCA Title 55, Chapter 4.

Senate Bill No. 271 by Senator Green.

Lottery, Scholarships and Programs -- As introduced, specifies that semester hours earned in ROTC courses by ROTC students do not count toward the semester hour limitation for receipt of the Tennessee HOPE scholarship; excludes grades received in ROTC courses from the calculation of an ROTC student's grade point average for Tennessee HOPE scholarship purposes. Amends TCA Title 49, Chapter 4, Part 9.

Senate Bill No. 272 by Senator Jackson.

Driver Licenses -- As introduced, requires the department of safety to print the language "NON U.S. CITIZEN" or "ALIEN" on driver licenses, permits, or other forms of identification issued or renewed for a temporary period to persons who are not United States citizens and not lawful permanent residents of the United States. Amends TCA Title 55, Chapter 50.

Senate Bill No. 273 by Senator Jackson.

Administrative Procedure (UAPA) -- As introduced, clarifies that only those administrative judges and hearing officers in the executive branch are required to complete training conducted by the department of human resources, division of training, within six months of employment. Amends TCA Section 4-5-324.

Senate Bill No. 274 by Senator Harris.

Criminal Offenses -- As introduced, clarifies that housing and apartment complex common areas are not considered areas open to the general public for purposes of criminal trespass. Amends TCA Section 39-11-106 and Section 39-14-405.

Senate Bill No. 275 by Senator Harris.

Boards and Commissions -- As introduced, requires the governor to appoint at least one person to the board of parole who has experience in corrections, probation, or parole; declares the governor the appointing authority for all board members. Amends TCA Section 40-28-103.

Senate Bill No. 276 by Senators Overbey and Yarbro.

Board of Regents -- As introduced, changes the status of the student representative on state university boards within the board of regents to a voting member rather than a nonvoting member; establishes a selection process for the student representative. Amends TCA Section 49-8-201.

Senate Bill No. 277 by Senator Harper.

Correction, Dept. of -- As introduced, requires the department to develop criteria related to the work period and compensation of correctional employees; requires the department to annually report correctional officer staffing levels. Amends TCA Title 4, Chapter 3, Part 6 and Title 41.

Senate Bill No. 278 by Senator Lundberg.

Local Government, General -- As introduced, permits local authorities to regulate the use of tobacco products in public places, places of employment, and parks. Amends TCA Section 39-17-1551.

Senate Bill No. 279 by Senator Lundberg.

Statutes of Limitations and Repose -- As introduced, limits any action to recover damages against a real estate appraiser arising out of the appraiser's real estate appraisal activity to being brought within one year from a person's discovery of the act or omission giving rise to the action; limits any disciplinary action against a real estate appraisal by the Board of Real Estate Appraisers from three years from the date the appraisal was completed. Amends TCA Title 28 and Title 62, Chapter 39.

Senate Bill No. 280 by Senator Lundberg.

Criminal Procedure -- As introduced, prohibits a person charged with incest from participating in judicial diversion. Amends TCA Section 40-35-313.

Senate Bill No. 281 by Senator Lundberg.

Naming and Designating -- As introduced, establishes the month of April as "Tennessee Craft Beer and Cider Month." Amends TCA Title 4, Chapter 1, Part 4.

Senate Bill No. 282 by Senator Lundberg.

Commerce and Insurance, Dept. of -- As introduced, requires registration with the department to operate as a commercial dog breeder; creates inspection requirements for commercial dog breeders; creates Class A misdemeanor offense for a person to knowingly operate as a commercial dog breeder without being registered. Amends TCA Title 62.

Senate Bill No. 283 by Senator Lundberg.

Consumer Protection -- As introduced, extends from 180 to 185 the number of days following cancellation due to a natural disaster of an event sponsored by a charitable organization that must elapse before ticket buyers forfeit refund of the purchase price. Amends TCA Title 4; Title 47 and Title 62.

Senate Bill No. 284 by Senator Lundberg.

Controlled Substances -- As introduced, adds etizolam to the list of Schedule I controlled substances. Amends TCA Section 39-17-406.

Senate Bill No. 285 by Senator Lundberg.

Tennessee Bureau of Investigation -- As introduced, permits TBI to collect a \$250 fee when a blood alcohol or drug concentration test is administered by law enforcement and tested by the TBI for the offenses of reckless driving and simple possession or casual exchange of a controlled substance. Amends TCA Section 55-10-413.

Senate Bill No. 286 by Senator Lundberg.

Election Laws -- As introduced, permits an absentee ballot to be sent to an address within a county, regardless of whether the voter requesting the absentee ballot possesses a commercial driver license or a valid transportation worker identification credential. Amends TCA Title 2, Chapter 6.

Senate Bill No. 287 by Senator Lundberg.

Child Abuse -- As introduced, expands child abuse to include intentionally commanding, inducing, compelling, or otherwise causing, including by use of threats or violence, a minor to commit a criminal gang offense; states that prosecution shall not require conviction of the minor for the criminal gang offense committed; designates a first offense as a Class A misdemeanor and second or subsequent offense as a Class E felony. Amends TCA Title 39 and Title 40.

Senate Bill No. 288 by Senator Watson.

Insurance, Health, Accident -- As introduced, requires managed health insurance issuers to provide a list of which radiologists, anesthesiologists, emergency room physicians, and pathologists at a participating facility are participating in the network. Amends TCA Title 56.

Senate Bill No. 289 by Senators Gardenhire and Watson.

Insurance Companies, Agents, Brokers, Policies -- As introduced, allows an employer to pre-enroll employees in a group income protection insurance policy if certain disclosure requirements are satisfied by the employer and the policy meets certain requirements. Amends TCA Title 56, Chapter 7.

Senate Bill No. 290 by Senator Yarbro.

Metropolitan Government -- As introduced, clarifies that the sales prices for accounting, legal, or other professional services provided within a central business improvement district located within a tourism development zone are not subject to an additional fee. Amends TCA Title 7, Chapter 88 and Title 67.

Senate Bill No. 291 by Senator Yarbro.

Highways, Roads and Bridges -- As introduced, directs one-third of revenue from any increase in gasoline tax to be deposited in the highway fund and used solely for public transportation. Amends TCA Title 9; Title 54 and Title 67.

Senate Bill No. 292 by Senator Tracy.

Boards and Commissions -- As introduced, changes the date on which assessments of costs in disciplinary cases conducted by agencies connected to the division of regulatory boards become final and subject to judgment and execution from 30 to 35 days from the date of the assessment. Amends TCA Title 55; Title 56, Chapter 1 and Title 62, Chapter 6.

Senate Bill No. 293 by Senator Briggs.

Children -- As introduced, authorizes a physician to provide peripartum analgesia and peripartum care to a minor who is at least 14 years of age without the knowledge or consent of a parent. Amends TCA Title 63, Chapter 6.

Senate Bill No. 294 by Senator Briggs.

Insurance, Health, Accident -- As introduced, adds misappropriations to list of defects that are absent from a clean Council on Affordable Quality Healthcare (CAQH) credentialing application. Amends TCA Title 56, Chapter 6 and Title 56, Chapter 7.

Senate Bill No. 295 by Senator Briggs.

Environment and Conservation, Department of -- As introduced, prohibits the department from issuing any permit that has not first been reviewed by the general assembly in the same manner as a rule under the Uniform Administrative Procedures Act. Amends TCA Title 4; Title 11; Title 59; Title 60; Title 62; Title 68 and Title 69.

Senate Bill No. 296 by Senator Briggs.

Comptroller, State -- As introduced, establishes July 1 of each year as the deadline for the office of research and education accountability to report its findings to the general assembly. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 44; Title 48 and Title 68.

Senate Bill No. 297 by Senator Briggs.

Workers' Compensation -- As introduced, revises various provisions of the Workers' Compensation Law. Amends TCA Title 50, Chapter 6.

Senate Bill No. 298 by Senator Briggs.

Physicians and Surgeons -- As introduced, prohibits certain adverse actions against a physician on the basis of the physician's failure to maintain specialty board certification or maintenance of licensure under a framework established by the Federation of State Medical Boards. Amends TCA Title 33; Title 56, Chapter 7; Title 63, Chapter 6; Title 63, Chapter 9 and Title 68.

Senate Bill No. 299 by Senator Bowling.

Highways, Roads and Bridges -- As introduced, authorizes TDOT to impose tolls on low-emission and energy-efficient vehicles and single occupancy vehicles that use managed/toll lanes on interstates; dedicates use of toll revenue to maintenance of managed/toll lanes; makes other related revisions. Amends TCA Title 5; Title 6; Title 7; Title 54; Title 55; Title 64 and Title 65.

Senate Bill No. 300 by Senator Bowling.

Parks, Natural Areas Preservation -- As introduced, designates a portion of State Route 28 as a scenic highway. Amends TCA Title 54, Chapter 17.

Senate Bill No. 301 by Senator Haile.

Telecommunications -- As introduced, allows electric cooperatives to provide broadband internet access and related services without any limitations that are not otherwise placed on other private providers of telecommunication services. Amends TCA Title 4; Title 6; Title 7; Title 10; Title 65; Title 67 and Title 68.

Senate Bill No. 302 by Senator Jackson.

Taxes, Business -- As introduced, clarifies that the bail bonds tax collected by a bail bondsman shall be excluded from the total gross sales reported on business tax returns or deducted from the gross sales reported. Amends TCA Section 67-4-711.

Senate Bill No. 303 by Senator Ketron.

Local Government, General -- As introduced, allows local governments, airports, and utility districts to regulate the use and possession of tobacco products in all public places, places of employment,

and parks within the entity's jurisdiction as long as the regulations are more stringent than those in effect under state law. Amends TCA Section 39-17-1551.

Senate Bill No. 304 by Senator Harris.

Alcoholic Beverages -- As introduced, authorizes Old Dominick Distillery to serve and sell alcoholic beverages for consumption on the premises of a restaurant within the distillery. Amends TCA Title 57, Chapter 3, Part 2 and Title 57, Chapter 4.

Senate Bill No. 305 by Senator Watson.

Consumer Protection -- As introduced, removes certain acts from the list of prohibited acts by a litigation financier; gives priority, with exclusions, of an attached litigation financier lien over other liens that subsequently take effect and attach. Amends TCA Section 47-16-105 and Section 47-16-109.

Senate Bill No. 306 by Senator Kyle.

Taxes, Privilege -- As introduced, exempts individuals from the professional privilege tax for the first year in which they are licensed or registered in a taxable profession. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 307 by Senator Kyle.

Taxes, Exemption and Credits -- As introduced, expands the sales tax exemption for purchases of textbooks to include purchases of reading materials required for high school or college classes. Amends TCA Title 67, Chapter 6.

Senate Bill No. 308 by Senator Kyle.

Handgun Permits -- As introduced, requires one-half of every handgun carry permit fee to be annually donated to one or more nonprofit organizations established for the purpose of providing financial assistance to families of police officers, firefighters, and emergency medical staff who lost lives or are victims of serious and disabling injury in the line of duty. Amends TCA Title 39.

Senate Bill No. 309 by Senator Kyle.

Firearms and Ammunition -- As introduced, requires mandatory minimum sentences for certain criminal convictions involving semi-automatic firearms. Amends TCA Title 39, Chapter 17, Part 13.

Senate Bill No. 310 by Senator Lundberg.

Criminal Offenses -- As introduced, expands the offense of child endangerment to include knowingly exposing a child to or failing to protect a child from abuse or neglect resulting in imminent danger to the child; defines imminent danger as the existence of any condition or practice that could reasonably be expected to cause death or serious bodily injury. Amends TCA Title 39, Chapter 15, Part 4.

Senate Bill No. 311 by Senator Lundberg.

Juvenile Offenders -- As introduced, permits juvenile court to transfer a juvenile under 16 years of age to a criminal court of competent jurisdiction to be tried as an adult for committing an act of terrorism. Amends TCA Section 37-1-134 and Title 39, Chapter 13, Part 8.

Senate Bill No. 312 by Senator Green.

Law Enforcement -- As introduced, allows retired federal law enforcement officers or agents who meet certain guidelines and training to apply to the department of safety or TBI to aid the agencies in surveillance and other counter-terrorism activities. Amends TCA Title 4, Chapter 3, Part 20 and Title 38.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 160 through 264** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 160 referred to the Committee on Judiciary.

Senate Bill No. 161 referred to the Committee on Education.

Senate Bill No. 162 referred to the Committee on Transportation and Safety.

Senate Bill No. 163 referred to the Committee on Commerce and Labor.

Senate Bill No. 164 referred to the Committee on Judiciary.

Senate Bill No. 165 referred to the Committee on Commerce and Labor.

Senate Bill No. 166 referred to the Committee on Commerce and Labor.

Senate Bill No. 167 referred to the Committee on State and Local Government.

Senate Bill No. 168 referred to the Committee on Education.

Senate Bill No. 169 referred to the Committee on State and Local Government.

Senate Bill No. 170 referred to the Committee on Transportation and Safety.

Senate Bill No. 171 referred to the Committee on Commerce and Labor.

Senate Bill No. 172 referred to the Committee on Transportation and Safety.

Senate Bill No. 173 referred to the Committee on Commerce and Labor.

Senate Bill No. 174 referred to the Committee on Transportation and Safety.

Senate Bill No. 175 referred to the Committee on Commerce and Labor.

Senate Bill No. 176 referred to the Committee on Health and Welfare.

Senate Bill No. 177 referred to the Committee on Commerce and Labor.

Senate Bill No. 178 referred to the Committee on Commerce and Labor.

Senate Bill No. 179 referred to the Committee on Commerce and Labor.

Senate Bill No. 180 referred to the Committee on Health and Welfare.

Senate Bill No. 181 referred to the Committee on Judiciary.

Senate Bill No. 182 referred to the Committee on Commerce and Labor.

Senate Bill No. 183 referred to the Committee on Government Operations.

Senate Bill No. 184 referred to the Committee on Health and Welfare.

Senate Bill No. 185 referred to the Committee on Health and Welfare.

Senate Bill No. 186 referred to the Committee on Transportation and Safety.

Senate Bill No. 187 referred to the Committee on Commerce and Labor.

Senate Bill No. 188 referred to the Committee on Health and Welfare.

Senate Bill No. 189 referred to the Committee on Government Operations.

Senate Bill No. 190 referred to the Committee on Commerce and Labor.

Senate Bill No. 191 referred to the Committee on Health and Welfare.

Senate Bill No. 192 referred to the Committee on Judiciary.

Senate Bill No. 193 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 194 referred to the Committee on Transportation and Safety.

Senate Bill No. 195 referred to the Committee on Commerce and Labor.

Senate Bill No. 196 referred to the Committee on Education.

Senate Bill No. 197 referred to the Committee on Judiciary.

Senate Bill No. 198 referred to the Committee on Judiciary.

Senate Bill No. 199 referred to the Committee on Government Operations.

Senate Bill No. 200 referred to the Committee on Judiciary.

Senate Bill No. 201 referred to the Committee on Health and Welfare.

Senate Bill No. 202 referred to the Committee on Education.

Senate Bill No. 203 referred to the Committee on Judiciary.

Senate Bill No. 204 referred to the Committee on Education.

Senate Bill No. 205 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 206 referred to the Committee on Judiciary.

Senate Bill No. 207 referred to the Committee on Judiciary.

Senate Bill No. 208 referred to the Committee on Judiciary.

Senate Bill No. 209 referred to the Committee on Commerce and Labor.

Senate Bill No. 210 referred to the Committee on Commerce and Labor.

Senate Bill No. 211 referred to the Committee on Health and Welfare.

Senate Bill No. 212 referred to the Committee on Judiciary.

Senate Bill No. 213 referred to the Committee on Judiciary.

Senate Bill No. 214 referred to the Committee on Health and Welfare.

Senate Bill No. 215 referred to the Committee on Commerce and Labor.

Senate Bill No. 216 referred to the Committee on Energy, Agriculture and Natural Resources.

Senate Bill No. 217 referred to the Committee on Education.

Senate Bill No. 218 referred to the Committee on Commerce and Labor.

Senate Bill No. 219 referred to the Committee on Education.

Senate Bill No. 220 referred to the Committee on Judiciary.

Senate Bill No. 221 referred to the Committee on Judiciary.

Senate Bill No. 222 referred to the Committee on Education.

Senate Bill No. 223 referred to the Committee on Transportation and Safety.

Senate Bill No. 224 referred to the Committee on Health and Welfare.

Senate Bill No. 225 referred to the Committee on State and Local Government.

Senate Bill No. 226 referred to the Committee on Judiciary.

Senate Bill No. 227 referred to the Committee on State and Local Government.

Senate Bill No. 228 referred to the Committee on State and Local Government.

Senate Bill No. 229 referred to the Committee on Judiciary.

Senate Bill No. 230 referred to the Committee on Transportation and Safety.

Senate Bill No. 231 referred to the Committee on State and Local Government.

Senate Bill No. 232 referred to the Committee on Education.

Senate Bill No. 233 referred to the Committee on Judiciary.

Senate Bill No. 234 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 235 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 236 referred to the Committee on Judiciary.

Senate Bill No. 237 referred to the Committee on Commerce and Labor.

Senate Bill No. 238 referred to the Committee on State and Local Government.

Senate Bill No. 239 referred to the Committee on Government Operations.

Senate Bill No. 240 referred to the Committee on Government Operations.

Senate Bill No. 241 referred to the Committee on Government Operations.

Senate Bill No. 242 referred to the Committee on Government Operations.

Senate Bill No. 243 referred to the Committee on State and Local Government.

Senate Bill No. 244 referred to the Committee on Judiciary.

Senate Bill No. 245 referred to the Committee on Education.

Senate Bill No. 246 referred to the Committee on Education.

Senate Bill No. 247 referred to the Committee on Education.

Senate Bill No. 248 referred to the Committee on Education.

Senate Bill No. 249 referred to the Committee on Education.

Senate Bill No. 250 referred to the Committee on Education.

Senate Bill No. 251 referred to the Committee on Transportation and Safety.

Senate Bill No. 252 referred to the Committee on Transportation and Safety.

Senate Bill No. 253 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 254 referred to the Committee on State and Local Government.

Senate Bill No. 255 referred to the Committee on Judiciary.

Senate Bill No. 256 referred to the Committee on Commerce and Labor.

Senate Bill No. 257 referred to the Committee on State and Local Government.

Senate Bill No. 258 referred to the Committee on Judiciary.

Senate Bill No. 259 referred to the Committee on Transportation and Safety.

Senate Bill No. 260 referred to the Committee on Commerce and Labor.

Senate Bill No. 261 referred to the Committee on Commerce and Labor.

Senate Bill No. 262 referred to the Committee on Commerce and Labor.

Senate Bill No. 263 referred to the Committee on Education.

Senate Bill No. 264 referred to the Committee on Judiciary.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 62 through 67** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 62 by Senator Lundberg. Memorials, Recognition -- Tennessee Craft Beer and Cider Month, April 2017.

Senate Joint Resolution No. 63 by Senator Southerland. Memorials, Recognition -- Alexa Austin.

Senate Joint Resolution No. 64 by Senator Southerland. Memorials, Recognition -- David Veridal.

Senate Joint Resolution No. 65 by Senator Southerland. Memorials, Retirement -- Vickie Andrew.

Senate Joint Resolution No. 66 by Senator Southerland. Memorials, Recognition -- Kiara Moore.

Senate Joint Resolution No. 67 by Senator Roberts. Memorials, Death -- James "J.R." Rogers.

MOTION

Senator Norris moved, pursuant to Rule 21, House Joint Resolutions Nos. 33 through 35, 39 through 41, 48 through 52 and 54 through 58; and Senate Joint Resolutions Nos. 48 through 51, 53 through 59 and 61 lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 33 -- Memorials, Death -- Jane G. Eskind.

The Speaker announced that he had referred House Joint Resolution No. 33 to the Committee on Calendar.

House Joint Resolution No. 34 -- Memorials, Personal Achievement -- Tammy Letzler and Kim Cox.

The Speaker announced that he had referred House Joint Resolution No. 34 to the Committee on Calendar.

House Joint Resolution No. 35 -- Memorials, Recognition -- American Heart Association/National Wear Red Day, February 3, 2017.

The Speaker announced that he had referred House Joint Resolution No. 35 to the Committee on Health and Welfare.

House Joint Resolution No. 39 -- Memorials, Recognition -- Jimmy Kelly's Steakhouse.

The Speaker announced that he had referred House Joint Resolution No. 39 to the Committee on Calendar.

House Joint Resolution No. 40 -- Memorials, Personal Achievement -- Judson Miller Chaudoin, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 40 to the Committee on Calendar.

House Joint Resolution No. 41 -- Memorials, Personal Occasion -- Annie L. Woodson, 100th Birthday.

The Speaker announced that he had referred House Joint Resolution No. 41 to the Committee on Calendar.

House Joint Resolution No. 48 -- Memorials, Professional Achievement -- Derek Voiles, 2016-2017 Tennessee Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 48 to the Committee on Calendar.

House Joint Resolution No. 49 -- Memorials, Recognition -- Montgomery Bell Academy, 150th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 49 to the Committee on Calendar.

House Joint Resolution No. 50 -- Memorials, Death -- Mary Frances Hodges Lyle.

The Speaker announced that he had referred House Joint Resolution No. 50 to the Committee on Calendar.

House Joint Resolution No. 51 -- Memorials, Death -- Betty Nixon.

The Speaker announced that he had referred House Joint Resolution No. 51 to the Committee on Calendar.

House Joint Resolution No. 52 -- Memorials, Recognition -- Sharron J. Brown.

The Speaker announced that he had referred House Joint Resolution No. 52 to the Committee on Calendar.

House Joint Resolution No. 54 -- Memorials, Retirement -- Dr. Helen James.

The Speaker announced that he had referred House Joint Resolution No. 54 to the Committee on Calendar.

House Joint Resolution No. 55 -- Memorials, Recognition -- Commemorates the August 21, 2017, total solar eclipse.

The Speaker announced that he had referred House Joint Resolution No. 55 to the Committee on Calendar.

House Joint Resolution No. 56 -- Memorials, Sports -- Clarksville High School girls' soccer team, TSSAA Class AAA State Champions.

The Speaker announced that he had referred House Joint Resolution No. 56 to the Committee on Calendar.

House Joint Resolution No. 57 -- Memorials, Sports -- Clarksville High School girls' golf team, TSSAA Class AAA State Champs.

The Speaker announced that he had referred House Joint Resolution No. 57 to the Committee on Calendar.

House Joint Resolution No. 58 -- Memorials, Retirement -- Dr. Carlette Hardin.

The Speaker announced that he had referred House Joint Resolution No. 58 to the Committee on Calendar.

Senate Joint Resolution No. 48 -- Constitutional Conventions -- Appoints commissioners to the planning convention for a prospective Article V convention.

The Speaker announced that he had referred Senate Joint Resolution No. 48 to the Committee on Judiciary.

Senate Joint Resolution No. 49 -- Memorials, Recognition -- Wayne Bettis.

The Speaker announced that he had referred Senate Joint Resolution No. 49 to the Committee on Calendar.

Senate Joint Resolution No. 50 -- Memorials, Personal Achievement -- Braden Cupp, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 50 to the Committee on Calendar.

Senate Joint Resolution No. 51 -- Memorials, Retirement -- Bobby J. Raines.

The Speaker announced that he had referred Senate Joint Resolution No. 51 to the Committee on Calendar.

Senate Joint Resolution No. 53 -- General Assembly, Statement of Intent or Position -- Expresses support for adult immunizations.

The Speaker announced that he had referred Senate Joint Resolution No. 53 to the Committee on Health and Welfare.

Senate Joint Resolution No. 54 -- Memorials, Congratulations -- Jenny and Dustin Ritchey, wedding.

The Speaker announced that he had referred Senate Joint Resolution No. 54 to the Committee on Calendar.

Senate Joint Resolution No. 55 -- Memorials, Death -- Wilma Blanche Spann Carney.

The Speaker announced that he had referred Senate Joint Resolution No. 55 to the Committee on Calendar.

Senate Joint Resolution No. 56 -- Memorials, Professional Achievement -- Doug Young, Lifetime Achievement Award from Rutherford County Chamber of Commerce.

The Speaker announced that he had referred Senate Joint Resolution No. 56 to the Committee on Calendar.

Senate Joint Resolution No. 57 -- Constitutional Amendments -- Proposes amendment of Article VI, Section 5 to provide for popular election of the attorney general and reporter for a regular term of six years.

The Speaker announced that he had referred Senate Joint Resolution No. 57 to the Committee on Judiciary.

Senate Joint Resolution No. 58 -- Memorials, Death -- Edwin Hope Rayson.

The Speaker announced that he had referred Senate Joint Resolution No. 58 to the Committee on Calendar.

Senate Joint Resolution No. 59 -- General Assembly, Statement of Intent or Position -- Urges President Donald J. Trump and Congress to distribute federal transportation funding to the states by block grant.

The Speaker announced that he had referred Senate Joint Resolution No. 59 to the Committee on Finance, Ways and Means.

Senate Joint Resolution No. 61 -- Memorials, Recognition -- Criminal Court of Knox County, 110th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 61 to the Committee on Calendar.

PRESENTATION

Senator Roberts introduced Mr. Jason and Kimberly Ladd to the Senate.

CONSENT CALENDAR

Senate Joint Resolution No. 2 -- Memorials, Recognition -- Recognizes Oak Ridge National Laboratory, Vanderbilt University, and the University of Tennessee-Knoxville for their contributions to the discovery of element 117 and its naming as tennessine.

Senate Joint Resolution No. 10 -- Memorials, Recognition -- The LEAP organization, Clarksville-Montgomery County Growth & Impact Award Winner.

Senate Joint Resolution No. 13 -- Memorials, Recognition -- Donald W. Bandy, Sumner Countian of the Year.

Senate Joint Resolution No. 14 -- Memorials, Recognition -- Tennessee Sons of the American Revolution.

Senate Joint Resolution No. 17 -- Memorials, Death -- Sue Morton Swann.

Senate Joint Resolution No. 18 -- Memorials, Recognition -- Linda Ogle, Tennessee Boys & Girls Clubs Hall of Fame.

Senate Joint Resolution No. 19 -- Memorials, Recognition -- Maryville, Tennessee Main Street Community.

Senate Joint Resolution No. 20 -- Memorials, Recognition -- Dorothy Mitchell-Kincaid, East Tennessee Appalachian Hero Award.

Senate Joint Resolution No. 21 -- Memorials, Sports -- Alcoa High School, 2016 TSSAA Division I Class 3A Football State Champions.

Senate Joint Resolution No. 22 -- Memorials, Death -- Harold "Sonny" Lambert.

Senate Joint Resolution No. 23 -- Memorials, Death -- Officer Kenny Moats.

Senate Joint Resolution No. 24 -- Memorials, Professional Achievement -- Rita Ash, Leadership Rutherford Pinnacle Award.

Senate Joint Resolution No. 25 -- Memorials, Professional Achievement -- Robert Adams, Rutherford County Chamber of Commerce Business Person of the Year.

Senate Joint Resolution No. 26 -- Memorials, Professional Achievement -- Mark Pirtle, Rutherford County Chamber of Commerce 2016 Business Legend of the Year.

Senate Joint Resolution No. 27 -- Memorials, Recognition -- Austin & Bell Funeral Home, 175th Anniversary.

Senate Joint Resolution No. 28 -- Memorials, Retirement -- Samuel C. McKnight.

Senate Joint Resolution No. 36 -- Memorials, Recognition -- Dr. Matthew Pinson.

Senate Joint Resolution No. 37 -- Memorials, Recognition -- Welch College, 75th Anniversary.

Senate Joint Resolution No. 38 -- Memorials, Retirement -- Dr. Helen James.

Senate Joint Resolution No. 39 -- Memorials, Death -- Paul Preston Pickens.

Senate Joint Resolution No. 40 -- Memorials, Death -- James H. Prewitt.

Senate Joint Resolution No. 41 -- Memorials, Death -- Raymond William Naylor.

Senate Joint Resolution No. 42 -- Memorials, Death -- Bobby Joe Pitts.

Senate Joint Resolution No. 43 -- Memorials, Retirement -- Louise McKown.

Senate Joint Resolution No. 45 -- Memorials, Public Service -- Larry Raines, Mayor of Stantonville.

Senate Joint Resolution No. 46 -- Memorials, Recognition -- University of Tennessee at Martin Parsons Center, 10th Anniversary.

Senate Joint Resolution No. 47 -- Memorials, Retirement -- Steve Curry.

Senate Resolution No. 7 -- Memorials, Recognition -- Fair Garden Family Community Center, 100th Anniversary.

Senate Resolution No. 8 -- Memorials, Death -- Paul E. Parks.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted, which motion prevailed by the following vote:

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Joint Resolution No. 5 -- Memorials, Congress -- Urges the Secretary of the U.S. Department of Veterans Affairs to locate a VA hospital in Clarksville.

Senate Bill No. 12 -- Naming and Designating -- As introduced, names the dining area of the Brig. Gen. Wendell H. Gilbert Tennessee State Veterans Home in honor of Command Sergeant Major (Retired) Sidney Brown, United States Army.

Senator Massey moved that all Senate Joint Resolutions be adopted; and all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes								31
Noes								0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 4 -- Memorials, Congress -- Urges the Secretary of the U.S. Department of Veterans Affairs to locate a VA hospital in Knoxville.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "Bristol" wherever it appears and substituting instead the language "Johnson City".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 4**, as amended, was adopted by the following vote:

Ayes								31
Noes								0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 48 -- Alcoholic Beverages -- As introduced, authorizes certain historic performing arts centers to sell alcoholic beverages during a performance; authorizes the consumption of alcoholic beverages in the auditoriums of such performing arts centers. Amends TCA Title 57, Chapter 4.

Senate Bill No. 48 passed its third and final consideration by the following vote:

 Ayes
 24

 Noes
 3

 Present, not voting
 1

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Harper, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Yager, Yarbro and Mr. Speaker McNally--24.

Senators voting no were: Beavers, Hensley and Southerland--3.

Senator present and not voting was: Tracy--1.

A motion to reconsider was tabled.

MOTION

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 139** on the calendar for the Committee on State and Local Government for Tuesday, February 7, 2017, which motion prevailed.

MOTION

Senator Bell moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 199** on the calendar for the Committee on Government Operations for Wednesday, February 8, 2017, which motion prevailed.

MOTION

Senator Norris moved the Proposed Schedule for the week of February 6, 2017, be adopted and made the action of the Senate, which motion prevailed.

TENNESSEE STATE SENATE 110th GENERAL ASSEMBLY

SCHEDULE WEEK OF FEBRUARY 6, 2017

MONDAY, FEBRUARY 6, 2017

1:30 p.m.

Transportation & Safety Committee

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UNOFFICIAL VERSION

2:30 p.m. Energy, Agriculture & Natural Resources Committee

3:30 p.m. SESSION – SENATE CHAMBER

TUESDAY, FEBRUARY 7, 2017

8:30 a.m. Finance, Ways & Means Committee

(Immediately following)

*Investigations & Oversight Subcommittee

10:30 a.m. State & Local Government Committee

12:30 p.m. Lunch

1:30 p.m. Commerce & Labor Committee

3:30 p.m. Judiciary Committee

WEDNESDAY, FEBRUARY 8, 2017

8:30 a.m. SESSION – SENATE CHAMBER

9:30 a.m. Government Operations Committee

10:30 a.m. Judiciary Committee

11:30 a.m. Lunch

12:30 p.m. Health & Welfare Committee

2:00 p.m. Education Committee

THURSDAY, FEBRUARY 9, 2017

8:30 a.m. SESSION – SENATE CHAMBER

RECALL OF BILL

On motion of Mr. Speaker McNally, **Senate Bill No. 116** was recalled from the Committee on Education.

REFERRAL OF BILL

Mr. Speaker McNally moved that Senate Bill No. 116 be referred to the Committee on Commerce and Labor, which motion prevailed.

RECALL OF BILL

On motion of Senator Green, **Senate Joint Resolution No. 52** was recalled from the Clerk's Desk.

WITHDRAWAL OF BILL

On motion Of Senator Green, Senate Joint Resolution No. 52 was withdrawn from the Senate.

MOTION

On motion of Senators Briggs, Kelsey and Kyle, their names were added as sponsors of **Senate Bill No. 48.**

On motion of Senator Ketron, his name was added as sponsor of Senate Bill No. 132.

On motion of Senator Haile, his name was added as sponsor of Senate Bill No. 195.

On motion of Senator Kyle, her name was added as sponsor of Senate Bill No. 199.

On motion of Senator Jackson, his name was added as sponsor of Senate Bill No. 206.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 234.**

On motion of Senators Yager, Briggs, Massey, Overbey, Bailey, Beavers, Bell, Bowling, Crowe, Gardenhire, Green, Gresham, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson and Yarbro, their names were added as sponsors of **Senate Joint Resolution No. 2.**

On motion of Senators Massey, Briggs, Mr. Speaker McNally and Senators Bailey, Beavers, Bell, Bowling, Crowe, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Yarbro, their names were added as sponsors of **Senate Joint Resolution No. 4**.

On motion of Senator Norris, his name was added as sponsor of **Senate Joint Resolutions Nos. 5, 10 and 46.**

On motion of Senator Briggs, his name was added as sponsor of **Senate Joint Resolution No. 7.**

On motion of Senators Crowe and Niceley, their names were added as sponsors of **Senate Joint Resolution No. 14.**

On motion of Senators Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Yarbro, their names were added as sponsors of **Senate Joint Resolution No. 17.**

On motion of Senators Southerland, Massey, Norris and Watson, their names were added as sponsors of **Senate Joint Resolution No. 18.**

On motion of Senators Norris, Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 23.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 32**.

On motion of Senators Crowe, Kelsey, Bailey, Beavers, Bell, Bowling, Briggs, Gardenhire, Green, Haile, Harper, Hensley, Jackson, Johnson, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 38.**

On motion of Senators Massey, Yager, Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson and Yarbro, their names were added as sponsors of **Senate Joint Resolution No. 43.**

On motion of Senator Southerland, his name was added as sponsor of **House Joint Resolution No. 48.**

On motion of Senator Green, his name was added as sponsor of **House Joint Resolutions Nos. 55, 56, 57 and 58.**

ENGROSSED BILLS

February 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 12 and 48; and Senate Joint Resolutions Nos. 4, 5, 10, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, 39, 40, 41, 42, 45, 46 and 47; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

ENGROSSED BILLS

February 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 2 and 43, and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 2, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 29, 30, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69 and 70; adopted, for the Senate's action.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE HOUSE

February 2, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1, 6, 8 and 60; concurred in by the House.

TAMMY LETZLER, Chief Clerk

ENROLLED BILLS

February 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 1, 6 and 8; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON, Deputy Chief Clerk

ENROLLED BILLS

February 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 60, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON, Deputy Chief Clerk

SIGNED

February 2, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1, 6, 8 and 60.

SIGNED

February 2, 2017

The Speaker announced that he had signed the following: Senate Resolutions Nos. 7 and 8.

MESSAGE FROM THE HOUSE

February 2, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1, 6, 8 and 60; signed by the Speaker.

TAMMY LETZLER, Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

February 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 1, 6, 8 and 60; for his action.

ALAN WHITTINGTON, Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

February 3, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 1, 6, 8 and 60; with his approval.

DWIGHT E.TARWATER, Counsel to the Governor

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 6, 2017: Senate Joint Resolutions Nos. 49, 50, 51, 54, 55, 56, 58 and 61; and House Joint Resolutions Nos. 33, 34, 39, 40, 41, 48, 49, 50, 51, 52, 54, 55, 56, 57 and 58.

This the 2nd day of February, 2017. MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, February 6, 2017: Senate Joint Resolutions Nos. 9, 29, 30 and 32; and Senate Bill No. 47.

This the 2nd day of February, 2017. MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 3:30 p.m., Monday, February 6, 2017, which motion prevailed.